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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) No. CR 07-0074 WHA
18 Plaintiff,)
19 v.)
20 MICHAEL EDISON,)
21 Defendant.)
22
23 UNITED STATES OF AMERICA,) **UNITED STATES' NOTICE OF**
24 Plaintiff,) **RELATED CASE IN A CRIMINAL**
25 v.) **ACTION**
26 DEBRA EDISON,)
27 Defendant.)
28

29 No. CR 07-0479 JSW

1 The government hereby files notice pursuant to Crim. L.R.8-1 and Civ. L. R. 3-12 that the
2 newly-assigned case, United States v. Debra Edison, No. CR 07-0479 SW and United States v.
3 Michael Edison, No. CR 07-0074 WHA are related and the new matter, which has been assigned
4 to the Honorable Jeffrey S. White, United States District Court Judge, may be reassigned to the
5 Honorable William H. Alsup, United States District Court Judge, who is presiding over the earlier
6 filed matter. Debra Edison is scheduled to make her initial appearance on the information on
7 August 1, 2007, at 9:30 a.m. before the Honorable James Larson, United States Magistrate Judge.

8 Michael Edison is facing charges of wire fraud in violation of 18 U.S.C. § 1343 in the
9 earlier filed matter. Michael Edison's wife, Debra Edison, is charged by information with
10 obstruction of justice in violation of 18 U.S.C. § 1519. In short, Michael Edison instructed Debra
11 Edison via letter from jail to create false documents to aid his defense. Specifically, Michael
12 Edison instructed Debra Edison to create a false promissory note and related document making it
13 appear as if the victim in Michael Edison's case loaned him the money he is alleged to have stolen
14 in the indictment. Debra Edison thereafter created the false documents and they were produced to
15 the government during discovery proceedings in Michael Edison's case.

16 The cases meet the criteria of Crim. L.R.8-1:

17 (1) Both actions concern the same defendants and a superseding indictment will likely be
18 filed alleging charges against Michael and Debra Edison as co-defendants in a conspiracy to
19 obstruct justice;

20 (2) Both actions involve overlapping evidence, as the creation of the false documents are
21 relevant to Michael Edison's existing charges and will obviously relate to both defendants once
22 they are both charged with obstruction of justice;

23 (3) Both actions will entail substantial duplication of labor and will create unnecessary
24 expenses if they are heard by different judges. Judge Alsup has become familiar with Michael
25 Edison's matter and it currently has a November 26, 2007, trial date before Judge Alsup. If they
26 do not resolve, the matters will likely be consolidated via a superseding indictment naming both
27 defendants. Even if that does not happen for some reason, the evidence in both of the matters
28 will be admissible in the other; and

(4) Accordingly, assignment to a single judge is likely to conserve judicial resources and promote efficient determination of the actions.

Undersigned counsel spoke with counsel for Michael Edison and Debra Edison, Michael Thoman and Shawn Halbert respectively, and they have no objection to this request. Thus, the United States respectfully requests the Court to order that the newly filed action of CR 07-0479 JSW is related to the previously filed matter in CR 07-0074 WHA and is therefore reassigned to Judge Alsup.

DATED: July 24, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that she caused copies of

UNITED STATES' NOTICE OF RELATED CASE IN A CRIMINAL ACTION

in the case of UNITED STATES V. MICHAEL EDISON, CR 07-0074 WHA and UNITED STATES V. DEBRA EDISON, CR 07-0479 JSW to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Michael Thorman, Esq.
Bonjour, Thorman, Baray & Billingsley
24301 Southland Drive, Suite 312
Hayward, CA 94545
Fax: 510-670-0955**

**Shawn Halbert
Federal Public Defender's Office
450 Golden Gate Avenue, 19th Fl
San Francisco, CA 94102
Fax: 415-436-7706**

(By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

(By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

(By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

(By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2007

/s/
RAWATY YIM
United States Attorney's Office